## Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

In the Matter of	)	
	)	
Applications of Sprint Nextel Corporation	on)	
Transferor	)	
	j	IB Docket No. 12-343
SOFTBANK CORP., and Starburst II, Inc.,	j	
Transferees	j	
	j	
Joint Application for Consent to Transfer	r )	
International and Domestic Authority	)	
Pursuant to Section 214 of the	)	
Communications Act of 1934, as amende	ed)	

## REPLY COMMENTS OF THE OGLALA SIOUX TRIBE

The Office of Economic Development of the Oglala Sioux Tribe ("Oglala Sioux Tribe") submits these Reply Comments on the Joint Application of Sprint Nextel Corporation ("Sprint") and Softbank Corp. and Starburst II, Inc. (collectively, "SoftBank"). As explained herein, the Oglala Sioux Tribe supports the Petition of the Crow Creek Sioux Tribe to deny the transfer of international and domestic authority from Sprint to Softbank, or, in the alternative, impose conditions on any transfer of authority, to address the tribal sovereignty and jurisdiction concerns of the Crow Creek Sioux Tribe. <sup>1</sup>

Under the Constitution and By-Laws of the Oglala Sioux Tribe, the Oglala Sioux Tribal Council has the power to "to protect and preserve the property, wild life, and natural resources - gases, oils, and other materials, etc. - of the tribe, and to regulate the conduct of trade and the use and disposition of property upon the

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<sup>&</sup>lt;sup>1</sup> See Petition To Deny filed by the Crow Creek Sioux Tribe, IB Docket No. 12-343, filed January 8, 2013.

reservation." Article IV, Seciton 1(m). To regulate the conduct of trade on the

reservation, the Office of Economic Development is tasked to "develop economic

infrastructure on the reservation." The Oglala Sioux Tribe has undertaken several

initiatives to further "tribal self-sufficiency and economic development" on the Pine

Ridge reservation, consistent with the Commission's *Tribal Consultation Policy* 

Statement. 2 Without the support of the Commission, the jurisdiction and

sovereignty of the Tribes is at risk. By requiring Sprint to meet its legal obligations

as a condition of any approval of transfer control, the Commission will be taking

action consistent with its federal trust relationship and will be promoting self-

sufficiency and economic development of the Tribes.

Oglala Sioux Tribe respectfully requests that the Commission impose

conditions on any transfer of authority to address the concerns of the Crow Creek

Sioux Tribe. Sprint should not be allowed to now benefit from its sale to SoftBank

without meeting its legal and financial obligations on Indian reservations.

Respectfully submitted.

OFFICE OF ECONOMIC DEVELOPMENT. OGLALA SIOUX TRIBE

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<sup>2</sup> In the Matter of Statement of Policy on Establishing a Government-to-Government Relationship with Indian Tribes, Policy Statement, FCC 00-207, June 23, 2000 ("Tribal Consultation Policy Statement").

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